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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/662,582	09/15/2000	Colin Jarvis	200-0549	1978

28395 7590 07/11/2003

BROOKS & KUSHMAN P.C./FGTL  
1000 TOWN CENTER  
22ND FLOOR  
SOUTHFIELD, MI 48075

EXAMINER

MCCLELLAN, JAMES S

ART UNIT

PAPER NUMBER

3627

DATE MAILED: 07/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/662,582

Applicant(s)

JARVIS ET AL.

Examiner

James S McClellan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 September 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Objections*

1. Claims 6, 9, 14, and 17 are objected to because of the following informalities: in line 2 of each claim “an” should be replaced with --a-- before either “volume” or “variance”.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-5, 8-13, 16, and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,989,141(Lyons et al.).

In regards to independent **claim 1**, Lyons et al. discloses a method for conducting a financial analysis (see column 2, lines 11-12), the method comprising: creating a financial analysis utility having a standardized format (see paragraph bridging columns 2 and 3); and providing access through a communication network (see column 3, lines 62-63) to the financial analysis utility to employees of a business enterprise to establish a single source for the financial analysis utility (see column 3, lines 2-5); [**claim 2**] creating a rules table for use with the financial analysis utility (see column column 7, lines 1-11, dictionaries define a table of rules); [**claim 3**] the rules table matches a user input with a predefined rule to obtain a rate (for example,

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currency rate conversion, see column 3, lines 19-20); **[claim 4]** the financial analysis utility is in communication with a database having actual and forecasted financial values (see column 2, lines 44-45); **[claim 5]** the financial analysis utility is an exchange rate tool (see column 3, lines 19-20); **[claim 8]** the financial analysis utility is an aggregate/average tool (see column 9, lines 1-3); and **[claim 9]** the financial analysis utility is a variance tool (see column 17, lines 5-32).

In regards to independent **claim 10**, Lyon et al. discloses a method for conducting a financial analysis as described in detail for similar claims 1 and 2. **Claims 11-13, 16, and 17** are disclosed by Lyons et al. is described in detail for similar claims 3-5, 8, and 9.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 6, 7, 14, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lyons et al. in view of U.S. Patent No. 5,233,533 (Edstrom et al.).

In regards to dependent claims 6, 7, 14, and 15, Lyons et al. fails to expressly disclose a financial analysis utility that is a volume extension tool or an allocation tool.

Edstrom et al. teaches the use of analysis tool that evaluates volume and allocation (see column 5, lines 26-34; column 6, lines 3-20, and column 7, lines 39-52).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify with Lyons et al. the volume extension and allocation tools of Edstrom et

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al., because the volume extension and allocation tools provide additional sources of analysis to optimize a business.

*Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

Eder et al. is cited of interest for disclosing a system for analyzing business situations.

Lewis et al. is cited of interest for disclosing an enterprise wide software management system.

Wewalaarachichi et al. is cited of interest for disclosing a system for the management and integration of real-time enterprise-wide applications and systems.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jim McClellan whose telephone number is (703) 305-0212. The examiner can normally be reached on Monday-Friday from 9:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski, can be reached at (703) 308-5183.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Any response to this action should be mailed to:

Commissioner of Patent and Trademarks  
Washington D.C. 20231

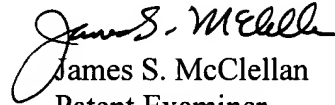
or faxed to:

(703) 305-7687 (Official communications) or

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(703) 746-3516 (Informal/Draft communications).

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive,  
Arlington, VA, 7<sup>th</sup> floor receptionist.



James S. McClellan  
Patent Examiner  
A.U. 3627

jsm  
July 7, 2003